

REMARKS

Claims 1-10 are pending in this application. The claims stand rejected under 35 U.S.C. § 102(e) as follows:

- claims 1 and 3 as being anticipated by Suzuki et al. (Suzuki) or Schroeder et al (Schroeder) – both newly cited; and
- claims 1-10 as being anticipated by Anderson et al. (Anderson).

Formal Matters

The Examiner is respectfully requested to acknowledge receipt of formal drawings filed January 23, 2003, and indicated approval of these drawings, in the next Office Communication.

Applicant notes that in the Office Action dated October 23, 2002, the Examiner checked the box indicating that “Some” certified copies of the priority documents have been received. Applicant submits that in the present application there was filed (on September 29, 1999) only one priority document – Japanese Application No. 291533/98. Thus, “All” of the priority documents should have been received by the PTO. The Examiner is requested to acknowledge receipt of “All” of the priority documents have been received.

Statement of Substance - Examiner Interview

Applicant thanks the Examiner for conducting a telephonic interview with Applicant’s representative on June 11, 2003.

During the interview, prior art rejections of independent claims 1 and 3 were discussed. In particular, Applicant’s representative noted that none of the cited prior art references discloses or suggests a portable device (such as a telephone) wherein items selected by a user are displayed

hierarchically, as required by Applicant's independent claims 1 and 3. As explained in the January 23, 2003 Amendment, the prior art does not disclose, teach or suggest a display device where, as illustrated in Applicant's Fig. 9, a user moving from display (II) to display (III) still has available for viewing hierarchical information, namely, "KEY TONE" in this example. That is, in accordance with Applicant's claimed invention, as shown in the illustrative example of Applicant's Fig. 9, a user moving from display (II) to display (III) still has available for viewing information with regard to the selected operation, i.e., "KEY TONE", and not simply "YES" or "NO".

Next, the newly cited Suzuki and Schroeder references were discussed. In this regard, the Examiner focused on the Suzuki reference. Applicant's representative explained that Suzuki discloses a portable communication device where no hierarchical information is displayed. Instead, when a user selects a function from the display, the entire display is changed to show only those function available now – no information about previously available function remains (see Suzuki, Figs. 4A-4E). This is inapposite to Applicant's claim invention.

After discussion of the Schroeder and previously-cited Anderson references, the Examiner agreed that, if independent claims 1 and 3 were amended to explicitly recite that the operation items are displayed hierarchically and at the same time, then the claims would be patentably distinguishable from the prior art of record. The Examiner also agreed that these amendments merely make explicit what was believed to have been implicitly required by the original claims 1 and 3, and therefore are simply clarifying amendments. No estoppel is created.

The Examiner further indicated that (based on his discussion of this case with his Supervisor) such an amendment would require further searching, and therefore, will require a

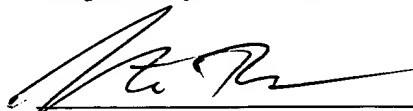
Request for Continued Examination (RCE) to be entered and considered. According, Applicant has filed an RCE.

In summary, Applicant amends the claims as agreed during the June 11, 2003 interview, and respectfully submits that independent claims 1 and 3, as well the dependent claims 2 and 4-10 (which incorporate all of the novel and unobvious features of their respective base claims) are not anticipated by (i.e., are not readable on) Suzuki, Schroeder or Anderson.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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PATENT TRADEMARK OFFICE

Date: July 11, 2003

APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims are amended as follows:

1. (Amended) A portable electronic apparatus including a display and allowing a user of said portable electronic apparatus to select a function, comprising;

a plurality of keys associated one-to-one with a plurality of guide areas included in said display; and

control means for displaying, in each operation step, particular operation items which can be selected by the user in said plurality of guide areas, and executing, when any one of said plurality of keys is pressed, processing relating to one of said operation items appearing in one of said plurality of guide areas associated with the key pressed,

wherein said items selected by the user are displayed hierarchically, and at the same time.

3. (Amended) A portable electronic apparatus comprising:

storing means for storing, for each of a plurality of functions, operation items which can be selected by a user operation step;

a display including a plurality of guide areas each for displaying respective guidance information representative of an operation item which can be selected by the user;

a key input section including a plurality of keys associated one-to-one with said plurality of guide areas; and

control means for managing a process of the operation step, and displaying, in each operation step, the guidance information representative of the operation items stored in said

storing means in said guide areas, and executing, when any one of said keys is pressed,
processing relating to one of said operation items appearing in one of said plurality of guide
areas associated with the key pressed,

wherein said operation items are displayed hierarchically, and at the same time.